

# Exhibit 10

(To the October 26, 2021 Declaration of  
Margaret A. Dale)

**Dalsen, William D.**

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**Subject:** FW: [EXTERNAL]RE: Service of Subpoena - Deposition of EY as Designated 30(b)(6) Witness of the Financial Oversight and Management Board

**Attachments:** EY Amended Subpoena 2021.10.15 - Service Copy (00496453x7AC45).pdf; Attachment A to EY Subpoena v2 (00496375-3x7AC45).pdf; Ex B EY Subpoena - Joint Motion re FOMB 30b6 Depo (00495999x7AC45).pdf

**From:** Alejandro J. Cepeda Diaz <[Ajc@mcvpr.com](mailto:Ajc@mcvpr.com)>

**Sent:** Friday, October 15, 2021 11:28 AM

**To:** Alonzo, Julia D. <[jalonzo@proskauer.com](mailto:jalonzo@proskauer.com)>; Antoinette DeCamp <[Antoinette.DeCamp@ey.com](mailto:Antoinette.DeCamp@ey.com)>

**Cc:** Arturo J. Garcia-Sota <[ajg@mcvpr.com](mailto:ajg@mcvpr.com)>; Lizzie M. Portela Fernández <[Lpf@mcvpr.com](mailto:Lpf@mcvpr.com)>; Dale, Margaret A. <[mdale@proskauer.com](mailto:mdale@proskauer.com)>; Mervis, Michael T. <[MMervis@proskauer.com](mailto:MMervis@proskauer.com)>; Stafford, Laura <[lstafford@proskauer.com](mailto:lstafford@proskauer.com)>; Nayuan Zouairabani <[nzt@mcvpr.com](mailto:nzt@mcvpr.com)>


**Subject:** RE: [EXTERNAL]RE: Service of Subpoena - Deposition of EY as Designated 30(b)(6) Witness of the Financial Oversight and Management Board

**This email originated from outside the Firm.**

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Revised documents are attached.



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---

**From:** Alonzo, Julia D. <[jalonzo@proskauer.com](mailto:jalonzo@proskauer.com)>

**Sent:** Thursday, October 14, 2021 8:39 PM

**To:** Alejandro J. Cepeda Diaz <[Ajc@mcvpr.com](mailto:Ajc@mcvpr.com)>; Antoinette DeCamp <[Antoinette.DeCamp@ey.com](mailto:Antoinette.DeCamp@ey.com)>

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**Subject:** RE: [EXTERNAL]RE: Service of Subpoena - Deposition of EY as Designated 30(b)(6) Witness of the Financial Oversight and Management Board

Alejandro:

Thank you for revising the subpoena. However, there are still some errors in Attachment A. First, Attachment A repeatedly refers to Ernst & Young Global Limited, not Ernst & Young LLP (including in the definition of "EY" on page 6). Second, the opening paragraph of Attachment A states that the Servicer "will take the deposition of Ernst & Young Global Limited ('EY'), as designated witness of the Financial Oversight and Management Board for Puerto Rico (the 'FOMB') pursuant to Rule 30(b)(6)." The urgent joint motion that we filed yesterday – which members of your firm and your co-counsel reviewed multiple times – explicitly stated that the DRA Parties would serve a subpoena on Ernst & Young, and we deleted all references to the Oversight Board designating the EY representative as our witness for purposes of the subpoena. Instead, we made clear that we would be adopting the testimony after the fact. We

understand your reasons for attaching the urgent joint motion to the subpoena, but it needs to accurately reflect our agreement as referenced therein.

Please send a revised version of these documents at your earliest convenience.

Regards,

**Julia D. Alonzo**

Senior Counsel  
(she/her/hers)

[Proskauer](#)

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**From:** Alejandro J. Cepeda Diaz <[Ajc@mcvpr.com](mailto:Ajc@mcvpr.com)>

**Sent:** Thursday, October 14, 2021 6:54 PM

**To:** Antoinette DeCamp <[Antoinette.DeCamp@ey.com](mailto:Antoinette.DeCamp@ey.com)>

**Cc:** Arturo J. Garcia-Sota <[ajg@mcvpr.com](mailto:ajg@mcvpr.com)>; Lizzie M. Portela Fernández <[Lpf@mcvpr.com](mailto:Lpf@mcvpr.com)>; Dale, Margaret A. <[mdale@proskauer.com](mailto:mdale@proskauer.com)>; Alonzo, Julia D. <[jalonzo@proskauer.com](mailto:jalonzo@proskauer.com)>; Mervis, Michael T. <[MMervis@proskauer.com](mailto:MMervis@proskauer.com)>; Stafford, Laura <[lstafford@proskauer.com](mailto:lstafford@proskauer.com)>; Nayuan Zouairabani <[nzt@mcvpr.com](mailto:nzt@mcvpr.com)>

**Subject:** RE: [EXTERNAL]RE: Service of Subpoena - Deposition of EY as Designated 30(b)(6) Witness of the Financial Oversight and Management Board

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Ms. DeCamp,

Attached is a revised subpoena addressing the two fundamental problems identified in your previous email. While we appreciate that EY may not be bound by the stipulation between the DRA Parties and the FOMB, we understand the stipulation needs to be referenced and attached to the notice to avoid any confusion as to why EY is being served with this subpoena and the nature of the deposition.

Cordially,

Alejandro Cepeda



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**From:** Antoinette DeCamp <[Antoinette.DeCamp@ey.com](mailto:Antoinette.DeCamp@ey.com)>  
**Sent:** Thursday, October 14, 2021 12:04 PM  
**To:** Alejandro J. Cepeda Diaz <[Ajc@mcvpr.com](mailto:Ajc@mcvpr.com)>  
**Cc:** Arturo J. Garcia <[Ajg@mcvpr.com](mailto:Ajg@mcvpr.com)>; Lizzie M. Portela Fernández <[Lpf@mcvpr.com](mailto:Lpf@mcvpr.com)>; mdale <[mdale@proskauer.com](mailto:mdale@proskauer.com)>; Alonzo, Julia D. <[jalonzo@proskauer.com](mailto:jalonzo@proskauer.com)>; Mervis, Michael T. <[MMervis@proskauer.com](mailto:MMervis@proskauer.com)>; Stafford, Laura <[lstafford@proskauer.com](mailto:lstafford@proskauer.com)>; Nayuan Zouairabani Trinidad <[nzt@mcvpr.com](mailto:nzt@mcvpr.com)>  
**Subject:** [EXTERNAL]RE: Service of Subpoena - Deposition of EY as Designated 30(b)(6) Witness of the Financial Oversight and Management Board

Dear Mr. Cepeda,

There are two fundamental problems with your subpoena that preclude me from accepting service. First, the subpoena is directed to the wrong entity; when you re-issue the subpoena, please direct it to Ernst & Young LLP. Second, the subpoena incorrectly describes the EY witness "as 30(b)(6) designated witness of the Financial Oversight and Management Board for Puerto Rico." That misstates the posture of this deposition. The designated EY witness will testify as the 30(b)(6) representative of Ernst & Young LLP, testifying as to matters within the knowledge of Ernst & Young LLP as relates to work performed by Ernst & Young LLP for the Board. Any agreement you and the Board may have reached in connection with how the parties to this case may use that testimony and how it may bind the Board is between you and the Board; EY takes no position on that matter.

EY may have additional objections to the designated topics that we will raise after a valid subpoena has been issued.

Regards,  
Antoinette

**Antoinette DeCamp** | Associate General Counsel | General Counsel's Office  
Ernst & Young LLP  
Office: +1 202 327 6640 | [Antoinette.DeCamp@ey.com](mailto:Antoinette.DeCamp@ey.com)

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**From:** Alejandro J. Cepeda Diaz <[Ajc@mcvpr.com](mailto:Ajc@mcvpr.com)>  
**Sent:** Wednesday, October 13, 2021 5:25 PM  
**To:** Antoinette DeCamp <[Antoinette.DeCamp@ey.com](mailto:Antoinette.DeCamp@ey.com)>  
**Cc:** Arturo J. Garcia <[Ajg@mcvpr.com](mailto:Ajg@mcvpr.com)>; Lizzie M. Portela Fernández <[Lpf@mcvpr.com](mailto:Lpf@mcvpr.com)>; mdale <[mdale@proskauer.com](mailto:mdale@proskauer.com)>; Alonzo, Julia D. <[jalonzo@proskauer.com](mailto:jalonzo@proskauer.com)>; Mervis, Michael T. <[MMervis@proskauer.com](mailto:MMervis@proskauer.com)>; Stafford, Laura <[lstafford@proskauer.com](mailto:lstafford@proskauer.com)>; Nayuan Zouairabani Trinidad <[nzt@mcvpr.com](mailto:nzt@mcvpr.com)>  
**Subject:** Service of Subpoena - Deposition of EY as Designated 30(b)(6) Witness of the Financial Oversight and Management Board

Ms. DeCamp,


Attached please find a subpoena for EY to appear at a deposition in relation to the Commonwealth of Puerto Rico insolvency proceedings, as designated 30(b)(6) witness for the Financial Oversight and Management Board.

Please provide us at your earliest convenience with the names and email addresses of the designated witness or witnesses, as well as any attorneys who will appear at the deposition on behalf of EY, to ensure that they timely receive an invitation with a link to the deposition.

Cordially,

Alejandro Cepeda



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